

# **Prosecution of crimes under international law committed during the conflict in Ukraine**

## **Abstract**

The aim of this thesis is to present possible ways of prosecuting crimes under international law committed in the ongoing conflict in Ukraine, which unfortunately, along with the loss of life and destruction, brings with it the remnants of crimes under international law that the Russian troops are leaving behind. The text of this thesis focuses both on the authorities vested with the power to prosecute those responsible for the commission of these crimes, and on the definition of the scope of their powers and the procedure applied by them. This thesis consists of three chapters.

Through the first chapter, a brief excursion is first made into the actual definition of the various categories of crimes under international law, namely the crime of genocide, crimes against humanity, war crimes and the crime of aggression. Both the international and national definitions of these crimes, which are contained in the legal systems relevant to this thesis, are discussed.

The second chapter further applies the findings made in chapter one to specific situations that took place during the conflict in Ukraine. Thus, an analysis is made of the events that are capable of fulfilling the constituent elements of particular crimes under international law, for example, through a closer examination of the cases of the cities of Mariupol and Bucha, whose fates are among the most serious, also in light of crimes under international law.

The third chapter then describes the different ways of prosecuting the crimes demonstrated in chapter two. It deals first with the International Criminal Court and its jurisdiction in the case described, along with the possibilities of establishing a special tribunal for Ukraine to cover the jurisdiction over the crime of aggression that the ICC does not have. Furthermore, the possibilities of prosecuting the committed crimes at the national level before the authorities of Ukraine, the Russian Federation or other states with the so-called universal jurisdiction are presented. Certain limitations that each of the considered methods faces, as well as the advantages they bring with them, are presented. Finally, the importance of each method and their interconnection is emphasized.

**Keywords: crimes under international law, conflict in Ukraine, prosecution of crimes under international law**